

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

NATHANIEL JOHNSON,
Plaintiff,

vs.

CHERYL, *et al.*,
Defendants.

Case No. 2:11-cv-00291-JCM-GWF

ORDER

Plaintiff's Second Request for
Service of Process (#40)

This matter is before the Court on Plaintiff's Second Request for Service of Process (#40), filed July 11, 2011.

Plaintiff requests the Court order service on Raymond Mondora, M.D., Melody Molinora, Health Care Services Administrator, and Cheryl Galeme (spelling of the last name unknown), Charge Nurse. Service of these individuals was previously attempted but not completed because Plaintiff failed to provide sufficient identifying information. On May 17, 2011, Plaintiff brought his first motion requesting service on the above-named Defendants (#26). On June 24, 2011, the Court denied Plaintiff's motion with instruction for the Plaintiff to conduct further investigation to determine more detailed names and addresses for the unserved defendants (#37). Plaintiff was given one hundred and twenty (120) days to comply.

Plaintiff now offers the full names of the unserved Defendants and has attached documents containing the work addresses of the unserved Defendants. The Court will grant Plaintiff's request because there now appears to be sufficient identifying information to effect service of process on these Defendants.

The Plaintiff additionally requests clarification whether he can proceed against Defendant John Doe I, Captain and John Doe II, Deputy Chief. Plaintiff has identified John Doe II, Deputy

1 Chief as Jim Dixon. On April 22, 2011, the Court entered a Screening Order regarding the
2 Plaintiff's original Complaint. Because the John Doe Defendants were not named, the Court did
3 not specifically address them. If the Plaintiff wishes to proceed against any additional named
4 defendants, Plaintiff must file a motion with the Court seeking to amend his complaint with the
5 proposed amended complaint attached. The Court will then screen any amended complaint and
6 issue an order. Plaintiff also mentions Privacy Officer, Bradley J. Cain, and lists an address for that
7 individual. The Court is unsure what relation Mr. Cain has to this case, as he is not a named
8 Defendant. If Plaintiff wishes to bring Mr. Cain into this action, he must follow the steps outlined
9 above.

10 Further, no opposition has been filed to this motion. Pursuant to LR 7-2(d), failure of an
11 opposing party to file a response constitutes consent to the granting of the motion. Accordingly,

12 **IT IS HEREBY ORDERED** that Plaintiff's Second Request for Service of Process (#40)
13 is **granted**. Service shall only be attempted on Raymond Mondora, Melody Molinora, and Cheryl
14 Galeme.

15 **IT IS FURTHER ORDERED** that the Clerk of the Court shall send to Plaintiff three (3)
16 USM-285 forms, one copy of the complaint and this order. Plaintiff shall have twenty (20) days in
17 which to furnish to the U.S. Marshal the required Forms USM-285. Within twenty (20) days after
18 receiving from the U.S. Marshal a copy of the Form USM-285 showing whether service has been
19 accomplished, Plaintiff must file a notice with the Court identifying which defendants were served
20 and which were not.

21 **DATED** this 11th day of August 2011.

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24 **GEORGE FOLEY, JR.**
25 **United States Magistrate Judge**
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